

8/17/2001

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Docket No. 65,213 -001
PATENT

COMBINED DECLARATION AND POWER OF ATTORNEY
(Entry into the National Phase of an International Application in
the United States of America)

I, the undersigned inventor, hereby declares that:

My residence, post office address, and citizenship are as stated next to my name below;

I believe that I am the first and original inventor of the subject matter claimed in the application for patent entitled NUTRITIONAL AND PHARMACEUTICAL COMPOSITIONS which is described and claimed in the U.S. Patent Application, enclosed herewith;

I have reviewed and understand the contents of the above-identified application for patent (hereinafter "the application"), including the claims;

I acknowledge the duty under Title 37, Code of Federal Regulations, Section 1.56(a), to disclose information known to be material to the patentability of this application. I also acknowledge that information is material to patentability when it is not cumulative to information already provided to the United States Patent and Trademark Office and when it either

compels, by itself or in combination with other information, a conclusion that a claim is unpatentable under the preponderance of evidence standard, before any consideration is given to evidence which may be submitted to establish a contrary conclusion of patentability, or

refutes or is inconsistent with a position taken in either (i) asserting an argument of patentability, or (ii) opposing an argument of unpatentability relied on by the United States Patent and Trademark Office;

I hereby claim the priority benefit under Title 35, Section 365(c), of the following PCT International Patent Application designating the United States:

<u>Application No.</u>	<u>Filing Date</u>	<u>Based on</u>
PCT/GB99/03196	24 Sept 1999	UK Patent Application 9820815.0 (filed on 25 Sept 1998)

Where the subject matter of the claims of this application is not disclosed in the priority PCT International Application, I acknowledge the duty to disclose information known to be material to the patentability of this application that became available between the filing dates of this application and of the priority PCT International Application;

I hereby appoint as my attorneys with full power of substitution to prosecute this application and conduct all business in the United States Patent and Trademark Office associated with this application the firm of DYKEMA GOSSETT PLLC, including Charles R. Rutherford, Reg. No. 18,933, Robert L. Kelly, Reg. No. 31,843, Ernest E. Helms, Reg. No. 29,721, Kevin M. Hinman, Reg. No. 35,193, John W. Rees, Reg. No. 38,278, William F. Kolakowski III, Reg. No. 41,908, Adam B. Strauss, Reg. No. 43,167, and Maryann Pierce Pertunnen, Reg. No. 46,987, located at 39577 North Woodward Avenue, Suite 300, Bloomfield Hills, Michigan 48304-2820.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

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Signature of Inventor
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Date 22nd March 2001
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**VERIFIED STATEMENT BY INVENTOR CLAIMING
SMALL ENTITY STATUS (37 C.F.R. 1.9(f) and 1.27(c))**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled:

NUTRITIONAL AND PHARMACEUTICAL COMPOSITIONS

described in the application for Letters Patent submitted herewith.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

NONE

I acknowledge the duty to file, in this application or patent, notification of any change in status that would result in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent to which this verified statement is directed.

Dated: March 22nd 2001



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